



Docket No.: 1293.1983

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Jae-Hyeong KIM

Serial No. 10/717,574

Group Art Unit: 2651

Confirmation No. 9399

Filed: November 21, 2003

Examiner: Glenda P. Rodriguez

For: HEAD SWITCHING METHOD USING TRACK NUMBER MATCHING

**COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed December 26, 2006.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. The reasons for allowance set forth starting on page 2 of the Notice of Allowability sets forth specific features not found in the prior art. It is submitted that the Examiner's statement is not an accurate quote with respect to claims 15, 18 and 23. For example, the method of claim 23 does not recite "designating one of the heads as a reference head to be used for address mapping; setting the deviation of the reference head as a zero value; obtaining track address deviations of the heads



Serial No. 10/717,574

with respect to the reference head and recording deviations in the mapping table." As such, it is submitted that the Examiner's statement is not a suitable reason for allowance. The claim language should be used to determine the reasons for allowance.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 3/26/07

By:

Kari P. Footland

Registration No. 55,187

1201 New York Ave, N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501